

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA) **Criminal No. 2:10-cr-0004**
)
)
v.)
)
)
JOSEPH PAPP) **Lancaster, C.J.**

DEFENDANT'S MOTION TO POSTPONE SENTENCING

AND NOW comes the Defendant, Joseph Papp ("Papp"), by his attorneys, William F. Ward, Esquire, and Ward McGough, LLC, and respectfully moves to postpone the Sentencing Hearing presently set for Friday, September 24, 2010. In support of this Motion, Papp respectfully avers as follows:

1. On February 17, 2010, Papp waived his right to an indictment and entered his plea of guilty to a Criminal Information charging him with two counts of conspiracy, each in violation of Title 18, United States Code, Section 371. Papp was released on an unsecured bond pending his sentencing hearing.

2. On February 17, 2010, the Court ordered that a Pre-sentence Investigation Report be prepared by the United States Probation Office. The United States Probation Office submitted the Report, and the parties have filed their respective Positions regarding the Report.

3. Papp and his undersigned counsel need more time to develop and present evidence that would be of value to Papp at the time of his sentencing, particularly with reference to Paragraph B.4 of the document that has been filed under seal with the Court [Doc. #8].

4. Papp and his undersigned counsel need more time to obtain and present supplemental information to establish anticipated grounds for a sentence outside of the advisory guidelines sentencing range, pursuant to the provisions of 18 U.S.C. § 3553(a).

5. On September 7, 2010, Assistant United States Attorney Mary McKeen Houghton consented to a continuance of the sentencing hearing for approximately three months.

WHEREFORE, based upon the foregoing, Papp respectfully requests a continuance of his sentencing hearing for at least 90 days, namely, from September 24, 2010, to a date in January 2011.

Respectfully submitted,

WARD McGOUGH, LLC

/s/ William F. Ward

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Counsel for Defendant,
Joseph Papp

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing *Defendant's Motion to Postpone Sentencing* has been served by electronic mail on this 14th day of September, 2010, upon the following:

Mary McKeen Houghton, Esquire
Assistant United States Attorney
Western District of Pennsylvania
4000 United States Post Office & Courthouse
Pittsburgh, PA 15219

Mr. Joseph Papp
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/s/ William F. Ward

William F. Ward